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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,670	07/24/2001	Bruce A. Willins	022.0206 (1122)	3824
80558 7590 10/31/2008 INGRASSIA FISHER & LORENZ, P.C. (Symbol) 7010 E. COCHISE ROAD SCOTTSDALE, AZ 85253-1406				
EXAMINER NGUYEN, TOAN D				
ART UNIT 2416		PAPER NUMBER		
NOTIFICATION DATE 10/31/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/911,670

Applicant(s)

WILLINS ET AL.

Examiner

TOAN D. NGUYEN

Art Unit

2416

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/30/08 have been fully considered but they are not persuasive.

The applicant argues with respect to claim 1 on page 9, second paragraph that Vij does not disclose mobile units, the access point for conducting wireless data communications with mobile units using a first wireless communications protocol, receiving, by a network interface of the access point, the management communications from the host computer over a cable connection, and when a communication failure between the host computer and the access point occurs over the cable connection, a radio module of the access point receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection using a second wireless communications protocol to allow management of the access point. The examiner disagrees. The examiner refers to the rejection below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2 and 7-20 are rejected under 35 U.S.C. 102(e) as being participated by Vij et al. (US 6,452,910).

For claim 1, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

conducting wireless data communications with the mobile units using said first wireless communication protocol (figure 6, col. 6, lines 39-44);

receiving, by a network interface of the access point (figure 6, reference Wireless Bridge), the management communications from the host computer (figure 6, reference Data Acquisition System) over a cable connection (col. 6, lines 48-50); and

when a communication failure between the host computer and the access point (figure 6, reference Wireless Bridge) occurs over the cable connection (col. 8, lines 59-60), a radio module of the access point (figure 6, reference Wireless Bridge) receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection (col. 8, line 65 to col. 9, line 2) using a second wireless communications protocol (figure 7, col. 6, lines 64-67) to allow management of the access point (col. 7, lines 14-22), wherein the second wireless communication protocol is different from the first wireless communication protocol (col. 5, lines 44-47).

For claim 2, Vij et al. disclose further comprising at least one of configuring one or more resources of said access point and adjusting one or more parameters of said access point responsive to said received management communications (col. 8, lines 48-58).

For claim 7, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 8, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

a first network interface (figure 6, reference Bluetooth I/F) for conducting data communications with one or more computers (figure 6, reference Data Acquisition System) adapted to provide management communications with the access point (figure 6, reference Wireless Bridge), and for receiving management communications from the one or more computers over a cable connection (col. 6, lines 48-50);

a first radio module (figure 1, reference RF Comm Card, col. 4, line 20) using a first wireless communications protocol (Bluetooth protocol means) for wirelessly transmitting first data messages received from the one or more computers (figure 6, reference Data Acquisition System) at said first network interface (figure 6, reference Bluetooth I/F) to mobile units (col. 6, lines 45-50) and for receiving second data messages from the mobile units and relaying the second data messages to the one or more computers via said first network interface (figure 4, col. 5, lines 22-25);

at least one processor (figure 1, reference CPU) connected to the first network interface and the radio module for controlling the access point (col. 4, lines 18-22); and

a second radio module (figure 1, reference WLAN Comm Card) operating using a second wireless communications protocol (WLAN protocol means), which is different from the first wireless communications protocol (Bluetooth Protocol means), and for receiving the management communications from a wireless terminal that is distinct from

the host computer over a wireless connection when a communication failure between the one or more computers and the access point occurs over the cable connection (col. 8, line 65 to col. 9, line 2).

For claim 9, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a master slave protocol (col.8, line 6).

For claim 10, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a Bluetooth protocol (col.8, line 6).

For claim 11, Vij et al. disclose wherein said processor is further arranged to authenticate communications via said second radio module (col. 11, lines 4-6).

For claim 12, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

- a hardwired network interface (figure 1, col. 4, lines 18-20);

- a first radio module (figure 1, reference RF Comm Card, col. 4 line 20) adapted to provide data communications with mobile units according to a first wireless communications protocol (Bluetooth protocol means)(col. 6, lines 48-50);

- a second radio module (figure 1, reference WLAN Comm Card, col. 4, line 20) adapted to communicate with a wireless terminal according to a second wireless communications protocol (WLAN protocol means), which is different from the first wireless communications protocol (figure 6, col. 6, line 67); and

- a processor (figure 1, reference CPU) communicatively coupled to the hardware network interface, the first radio module, and the second radio module (figure 1, col. 4, lines 18-22), the processor adapted to:

provide data messages from the hardwired network interface to the first radio module (col. 4, lines 18-22),

receive, via the hardwired network interface (figure 6, reference Bluetooth I/F), management communications from a remote computer (figure 6, reference Data Acquisition System) that is adapted to provide the management communications to the apparatus (col. 7, lines 43-45), and when a communication failure between the remote computer and the apparatus occurs over the hardwired network interface, to receive the management communications using the second wireless communications protocol from the wireless terminal via the second radio module (col. 8, line 65 to col. 9, line 2).

For claim 13, Vij et al. disclose wherein the processor (figure 1, reference CPU) is adapted to allow data communications through the first radio module and to allow to management features through the second radio module (col. 6, lines 45-54).

For claim 14, Vij et al. disclose wherein the second radio module operates as a slave unit at least during a portion of the time the access to the management features is allowed (col. 8, line 6).

For claim 15, Vij et al. disclose wherein the processor is further adapted to authenticate communications associated with access of management features (col. 11, lines 1-6).

For claim 16, Vij et al. disclose wherein the first protocol is an 802.11 protocol and the second wireless communications protocol is a Bluetooth protocol (col. 3, line 50).

For claim 17, Vij et al. disclose wherein the processor is further adapted to allow monitoring of the data communications (col. 8 lines 22-50).

For claim 18, Vij et al. disclose wherein receiving the management communications comprises receiving one or more communications selected from a group of communications that includes updated system information, modified system programming, information concerning association with the mobile units, data for use by access points, and software for use by access points (col. 8, lines 48-58).

For claim 19, Vij et al. disclose monitoring the wireless data communication using the second wireless data communications protocol (col. 8, lines 22-50).

For claim 20, Vij et al. disclose wherein the at least one processor is further allows monitoring the data communications using the second wireless data communications protocol (col. 8, lines 22-50).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vij et al. (US 6,452,910) in view of Shoobridge et al. (US 6,326,926).

For claims 3 and 5, Vij et al. do not expressly disclose wherein the first wireless communications protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth. In an analogous art, Shoobridge et al. disclose wherein the first wireless communications protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth (figure 2, col. 5, lines 64-67).

Shoobridge et al. disclose wherein said second wireless communications protocol is Bluetooth (col. 5, lines 64-67 as set forth in claim 5).

One skilled in the art would have recognized the wherein the first wireless communication protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth, and would have applied Shoobridge et al.'s cellular communication system 50 in Vi et al.'s PAN/LAN system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Shoobridge et al.'s method of operating a wireless and a short-range wireless connection in the same frequency in Vij et al.'s bridging apparatus for interconnecting a wireless PAN and a wireless LAN with the motivation being to provide a cellular communication system 50 employing the Bluetooth standard and a local area network (LAN) 52 (col. 5 lines 64-67).

For claim 4, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 6, Vij et al. disclose associating said radio module as a slave unit (col. 8, line 6).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TOAN D. NGUYEN whose telephone number is (571)272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. D. N./
Examiner, Art Unit 2416

/FIRMIN BACKER/
Supervisory Patent Examiner, Art Unit 2416